

# EXHIBIT B

**From:** [Chris Kachouroff](#)  
**To:** [Frey, Timothy](#)  
**Cc:** [Loftus, Julie](#); [Bedell, James](#)  
**Subject:** Re: Lindell - M. Lindell Deposition Scheduling  
**Date:** Friday, May 31, 2024 2:46:13 PM

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Thanks Tim! Just wanted to make sure it was not a representation that I had made. Appreciate the quick update. Talk on Monday at that time.

Sent from my iPhone

On May 31, 2024, at 12:45 PM, Frey, Timothy <TFrey@beneschlaw.com> wrote:

Chris – agreed, let’s do a call on Monday. I can do anytime after 12:30 CT.

At the hearing today, I said the same thing that we said in our motion to obtain the status conference – that the longer the motion for sanctions remains unrul’d upon, my client is concerned about its ability to collect, especially because of the representations made by PDK when they withdrew in October and that fact that in the Zeidman appeal one of the attorneys of record works primarily in the bankruptcy field. I did not reference any productions or other materials from our main case.

Thanks,

Tim

vCard Bio

Timothy M. Frey  
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**From:** Chris Kachouroff <[chris@mck-lawyers.com](mailto:chris@mck-lawyers.com)>  
**Sent:** Friday, May 31, 2024 12:40 PM  
**To:** Frey, Timothy <TFrey@beneschlaw.com>  
**Subject:** Re: Lindell - M. Lindell Deposition Scheduling

Tim,

There’s no need to document a disagreement on this issue. We will work to get Lindell scheduled. We also need to get several other depositions scheduled, some that you want and others that I want. If you have time on Monday let’s have a call to get this ironed out.

I’ll look at the proposed draft and get back to you hopefully by tomorrow.

Also I understand a representation was made about Lindell’s finances. Who made that representation to the court and what was said? (I had no cellular service this morning and so was unable to join the call.)

Sincerely,

Chris Kachouroff

Sent from my iPhone

On May 31, 2024, at 11:19 AM, Frey, Timothy <[TFrey@beneschlaw.com](mailto:TFrey@beneschlaw.com)> wrote:

Chris,

We disagree that the expectation was for the deposition to move forward in Minnesota. As you and Julie discussed last Friday and Julie reiterated via email on Saturday, we are not available to travel to Minnesota on Monday to take the deposition. We had not heard from you since that time regarding whether or not Mr. Lindell could be available in Chicago as originally planned. In any event, we agree that we should find new dates for the depositions of Mr. Lindell and the MyPillow 30(b)(6). If necessary, we can break them into non-consecutive days.

Along those lines, attached please find a draft joint motion for extension of deadlines to be filed with the Court. This motion envisions a 4-week extension of fact and expert discovery deadlines, but does not move the summary judgment deadline or trial ready date. We think the best route forward would be to agree to dates now over that 4-week period for each of the remaining deponents so that we do not need to move again. **Please provide you and your witness' availability and we will confirm.**

We have been able to secure potential dates for **Mr. Howse** of **June 7 or June 14** in Tennessee. Please let us know which of those dates would work for the defense.

Finally, do you still intend to move forward with a motion to substitute an expert for Mr. Gorowsky? If so, we would like to establish a date certain by which you will produce the new expert's report adopting Mr. Gorowsky's opinions. As we do not understand this to be a rebuttal report, we would like that report at least 2 weeks in advance of the rebuttal report deadline so that our experts can properly respond.

We will be following up shortly with our revised interrogatory responses, as well as a list of outstanding discovery issues.

Thank you,

Tim

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**From:** Chris Kachouroff <[chris@mck-lawyers.com](mailto:chris@mck-lawyers.com)>

**Sent:** Thursday, May 30, 2024 8:26 AM  
**To:** Frey, Timothy <[TFrey@beneschlaw.com](mailto:TFrey@beneschlaw.com)>  
**Cc:** Loftus, Julie <[JLoftus@beneschlaw.com](mailto:JLoftus@beneschlaw.com)>  
**Subject:** Re: Lindell - M. Lindell Deposition Scheduling

Tim,

I disagree that I've been nonresponsive. If you do not wish to depose Mr. Lindell next week, I will look for other dates. My understanding was that we were going to move forward and do a deposition in Minnesota.

I'm fairly flexible in terms of scheduling so if you want to do somebody else like Darren Lindell or Jim Furlong, I will get them available next week instead of Mr. Lindell.

Please let me know what you wish to do.

Sincerely,

Chris

Sent from my iPhone

On May 29, 2024, at 6:47 PM, Frey, Timothy <[TFrey@beneschlaw.com](mailto:TFrey@beneschlaw.com)> wrote:

Chris,

In light of our prior communications and your non-responsiveness to these e-mails and calls, we are no longer planning to go forward with the Lindell/30(b)(6) depositions next week. Please promptly provide us with Mr. Lindell's next availability, either in Minnesota or Chicago.

Thank you,

Tim

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**From:** Loftus, Julie <[JLoftus@beneschlaw.com](mailto:JLoftus@beneschlaw.com)>  
**Sent:** Wednesday, May 29, 2024 8:03 AM  
**To:** Chris Kachouroff <[chris@mck-lawyers.com](mailto:chris@mck-lawyers.com)>  
**Cc:** Frey, Timothy <[TFrey@beneschlaw.com](mailto:TFrey@beneschlaw.com)>  
**Subject:** Re: Lindell - M. Lindell Deposition Scheduling

Chris,

Following up again. I called you yesterday and didn't hear back.

Julie Loftus  
(she/her/hers)  
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**From:** Loftus, Julie <[JLoftus@beneschlaw.com](mailto:JLoftus@beneschlaw.com)>  
**Sent:** Saturday, May 25, 2024 3:05:39 PM  
**To:** Chris Kachouroff <[chris@mck-lawyers.com](mailto:chris@mck-lawyers.com)>  
**Cc:** Frey, Timothy <[TFrey@beneschlaw.com](mailto:TFrey@beneschlaw.com)>  
**Subject:** Lindell - M. Lindell Deposition Scheduling

Chris—any update regarding Mr. Lindell's availability to come to Chicago on June 3 and 4, or for other dates in Minnesota?

Julie

Julie Loftus  
(she/her/hers)  
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<Joint Motion to Extend Discovery Deadlines.docx>